

This matter is being dealt with by:  
**Richard Browne**  
Reference: TU Facilities 16/17  
T 0115 9773561  
E richard.browne@nottscc.gov.uk  
W nottinghamshire.gov.uk

The Headteacher / Chair of Governors  
[\[Mail Merge to Academies \]](#)

# DRAFT

June 2016

Dear Colleague

## **Academy Contribution to the Trade Union Facilities Budget for Financial Year 2016/17**

Each year the Schools' Forum considers the Nottinghamshire Trade Union Facilities arrangements as part of its broad remit. These arrangements enable trained and accredited trade union representatives paid time off for official trade union duties and provide a cost effective way for:

- academy employees to access accredited trade union support at hearings and appeals
- academy leadership teams to manage formal trade union consultation by covering the cost of trade union representatives to attend consultation meetings where new or revised policies are being considered.

The purpose of this letter is to remind you of the facilities arrangements and to encourage your academy to consider joining the scheme this year. The cost to all participating schools for 2016-17 is based on a charge per pupil of £1.51 for primary schools and £1.64 for secondary schools and is the same for both academy and maintained schools. This equates to a total planned budget of £159,798 (the LA retains £83,802 of this for maintained schools) and the Schools Forum will continue to review this cost for future years.

Where a member school is required to release an accredited representative or health & safety officer to undertake official trade union duties, the Nottinghamshire scheme contributes towards the cost of paid release time. Other important aspects of the scheme include:

- a) No money is paid directly to trade unions or individual trade union representatives and claims are paid directly to schools releasing elected / accredited officers who undertake consultation, negotiation, welfare, disciplinary, casework hearings and governors' hearings and appeals panels.
- b) The facilities budget is 'ring-fenced' solely to reimburse member schools who release their staff to undertake trade union duties.

- c) The Schools Forum oversees the administration of the scheme and will receive regular reports detailing how the fund has been used by each trade union and which schools/academies have been reimbursed from it.
- d) The scheme is effectively an annual fixed cost 'insurance policy' to cover the cost of trade union recognition and support for your school.

Where an academy does not choose to subscribe to this scheme, as the employer, the school is still required by law to allow elected trade union representatives paid time off to undertake trade union activities, to represent their members and to undertake training. All employers must comply with ACAS guidance – which defines these 'trade union duties' – and is issued by order of the Secretary of State. All proceedings or consultation associated with employees' pay and conditions of service including negotiating all relevant policies fall within these 'duties'.

This could mean that individual academies will need to provide statutory facilities for Nottinghamshire trade unions to train caseworkers and bear the full cost themselves of releasing trainees or representatives on full pay. Such costs could easily outstrip the membership cost of the Nottinghamshire facilities scheme. It was brought to our attention last year that trade union representatives undertook casework in academies that do not pay into the scheme and effectively got the benefit of free representation. The unions are fully aware of this anomaly and it is likely that they will bill schools direct for Regional Officer time in future.

**The cost to your school of scheme membership for the period from 1 April 2016 to 31 March 2017 is [£Merge] and has been calculated using the 15/16 pupil census data. To join the scheme please email [richard.browne@nottscc.gov.uk](mailto:richard.browne@nottscc.gov.uk) with a Purchase Order or a ref number. An invoice will then be raised to your school.**

Yours sincerely,

Carlo Cuomo  
Chair of Nottinghamshire Schools Forum

CC Marion Clay  
Linda Foster  
Richard Browne